

REMARKS

Claims 2, 4-8, 12-14 and 17-31 remain pending in the application. Claims 1 and 9-11 (previously withdrawn) have now been canceled without prejudice or disclaimer. It is proposed to amend claims 2, 5, 8, 21, 22, and 27 without introduction of new matter. Entry of these amendments and favorable reconsideration are respectfully requested in view of the above amendments and the following remarks.

The Final Office Action's indication that claim 8 defines patentable subject matter is noted with appreciation. Accordingly, it is now proposed to rewrite claim 8 in independent form, including all of the limitations of the base claim and any intervening claims. Entry of this amendment is respectfully requested because this amendment will put claim 8 into condition for allowance.

The courtesy extended by the Examiner to Applicant's representative in a telephonic interview conducted on July 6, 2006 is noted with appreciation. During the interview, the parties discussed how the independent claims were patentably distinguishable over the prior art of record. The Examiner made a number of suggestions for claim amendments that would even further clarify an aspect of the invention (i.e., that the reserved code is not used by the transmitter to spread a signal for transmission), and also to improve antecedent basis for some claim terminology (i.e., in claims 21, changing "the at least one reserved code" to "the reserved at least one code").

In order to expedite favorable prosecution of the application, Applicant now agrees to the suggested amendments, and accordingly submits them herewith. Entry of these amendments is respectfully requested because it is believed that they will put the application into immediate condition for allowance.

Upon entry of the proposed amendments, it is believed that the application will be in condition for allowance. Prompt notice of same is respectfully requested. If the Examiner believes that further discussion would help to advance favorable prosecution of the application, he is invited to call the undersigned attorney at 703-718-8884.

Respectfully submitted,
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